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6 Attorneys for Defendant  
7 LENOVO (UNITED STATES), INC.

8 UNITED STATES DISTRICT COURT  
9  
10 NORTHERN DISTRICT OF CALIFORNIA

11 IN RE: LENOVO ADWARE LITIGATION,

Case No. 5:15-md-02624-RMW

12  
13 This Document Relates To: All Actions  
14

**DEFENDANT'S NOTICE OF  
MOTION AND MOTION TO DISMISS  
PLAINTIFFS' COMPLAINT  
PURSUANT TO FEDERAL RULE OF  
CIVIL PROCEDURE 12(B)(6)**

15 Date: March 11, 2016  
16 Time: 9:00 a.m.  
Judge: Ronald M. Whyte  
17 Courtroom: 6, 4th Floor

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE THAT** on March 11, 2016, at 9:00 AM, or as soon thereafter as the matter may be heard, in Courtroom 6, on the 4th floor, of the above-captioned Court, located at 280 South 1st Street, San Jose, CA 95113, Defendant Lenovo (United States), Inc. (“Lenovo”), will and hereby does move this Court for an order dismissing Plaintiffs’ Complaint pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6).

This motion is brought on the grounds that Plaintiffs do not have standing under Article III of the United States Constitution to bring the present action and have failed to state a claim upon which relief may be granted.

This Motion is, and will be, based upon this Notice, the Memorandum of Points and Authorities, Plaintiffs’ Complaint, and all other papers and pleadings on file in this matter, and all other documents and matters to which this Court may properly consider.

Respectfully submitted,

K&L GATES LLP

Dated: January 20, 2016

/s/ Daniel J. Stephenson

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